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Attorney for Defendant

8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE DISTRICT OF ARIZONA

10 United States of America,

11 Plaintiff,

12 v.

13 Devonte Okeith Mathis,

14 Defendant.
15
16

NO. CR21-2714-TUC-RM (MSA)

**MOTION TO CONTINUE
TRIAL AND EXTEND PLEA
DEADLINE**

(Third Request – In Custody)

17 It is expected that excludable delay under Title 18, United States Code,
18 § 3161(h)(7)(A), (B)(iv), will occur as a result of this motion or an order based thereon.

19 Defendant, Devonte Okeith Mathis, through counsel, requests a 60-day
20 continuance of the trial date currently scheduled for April 26, 2022, and to extend the
21 plea deadline currently set for April 8, 2022. This request is made for the following
22 reasons:
23

- 24 1. Defense counsel has recently received volumes of supplemental electronic
25 disclosure, including numerous videos, that required significant time
26 merely to download. Counsel will need additional time to actually review
27
28

1 said disclosure, and then to review it with Mr. Mathis. Additional time is
2 needed to conduct investigation and pretrial preparation for a trial or a non-
3 trial disposition.
4

5 2. Assistant United States Attorney, Dimitra Sampson, has no objection to this
6 request.

7 3. Denial of this request to continue will result in a miscarriage of justice. 18
8 U.S.C. § 3161(h)(7)(B)(i).
9

10 4. This is the third request to continue. Mr. Mathis is in custody.

11 Counsel requests that a scheduling order not be issued at this time as an order
12 may negatively impact Mr. Mathis's opportunity to take advantage of a government offer.
13

14 In the interest of judicial economy and in order to resolve any pretrial matters
15 efficiently, counsel requests a continuance of 60 days of the plea deadline and trial date
16 set. This request is not made for the sole purpose of delay.

17
18 RESPECTFULLY SUBMITTED: April 12, 2022.

19 JON M. SANDS
20 Federal Public Defender

21 *s/ Walter Eric Rau*
22 W. ERIC RAU
Attorney for Defendant

23 ECF copies this date to:

24 DIMITRA SAMPSON
25 KEITH VERCAUTEREN
26 LINDSAY SHORT, Assistants
United States Attorney's Office
27
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